

Dear Mr. Clark,

I would like to comment that your office is missing the mark, and missing the point on business method patents and prior art. You can have Bazillions of databases and still make very bad calls. To be fair to all involved, the important parts are: 1. Have very knowledgeable analysts and consultants in current practice in the industry who can render EXPERT OPINIONS on which ideas are novel and new (patentable) and those which have been used before, or are so obvious as to be in standard practice. 2. Register and protect new proposals for patent, and then release for public comment, providing the results of these comments to the experts cited in point 1. Rely on the opinions of the experts.

There is no way that your office can autonomously determine the appropriateness of patents within this field. The field is vast and the abstract concepts so obtuse that they make it impossible for any one organization to be able to vet submissions for "prior art". In today's environment, I could have built this idea in my basement, incorporated it into my 500 hit-a-month website, and wrote an article on it, all based in today's notion of "free sharing of ideas".

3. Don't make your decisions irrevocable. If bona-fide evidence of prior art exists, recind the patent.

Today's environment is much different. We are expanding into areas and methods that defy catagorization. You MUST rely on the decisions of experts rather than database searches. I understand that these ideas go beyond the perview of the vegetables on your plate. That's the difference between adequacy and excellence.

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